

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA *et al.*)
ex rel. JUSTIN DILLON,)
)
)
)
Plaintiff/Relator,)
)
)
v.) Civil Action No. 02:18-CV-2642-PD
)
)
INCYTE CORPORATION,)
)
)
Defendant.)

JOINT STIPULATION OF DISMISSAL

1. The United States and defendant Incyte Corporation executed a Settlement Agreement, with an effective date of May 4, 2021, that provides for a release of the Covered Conduct, defined in the Settlement Agreement, a payment by defendant to the United States, and the dismissal of this action pursuant to the terms and conditions of the Settlement Agreement.

2. The Settlement Agreement provides that the parties shall promptly sign and execute a joint stipulation of dismissal, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, when the United States receives the required payment from the defendant as provided for by the terms of the Settlement Agreement.

3. Defendant Incyte Corporation made payment to the United States pursuant to the terms of the Settlement Agreement on May 11, 2021.

4. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of the Settlement Agreement between the United States, relator Justin Dillon, and defendant Incyte Corporation, the Parties hereby stipulate to the dismissal of this action as follows:

A. Relator's claims in this action are DISMISSED WITH PREJUDICE pursuant

to and consistent with the terms and conditions of the Settlement Agreement;

B. The United States' claims in this action as to the Covered Conduct, defined in the Settlement Agreement, are DISMISSED WITH PREJUDICE pursuant to and consistent with the terms and conditions of the Settlement Agreement;

C. The United States' claims pertaining to any conduct not included within the Covered Conduct of the Settlement Agreement are DISMISSED WITHOUT PREJUDICE pursuant to and consistent with the terms and conditions of the Settlement Agreement.

SO STIPULATED:

THE UNITED STATES OF AMERICA

RELATOR

/s/ Gregory B. David
Gregory B. David
Assistant U.S. Attorney
Chief, Civil Division

/s/ Paul J. Koob
Charlene Keller Fullmer
Assistant U.S. Attorney
Deputy Chief, Civil Division
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INCYE CORPORATION


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1501 K. Street NW
Washington, D.C. 20005

SO ORDERED:

/s/ Paul S. Diamond May 21, 2021

Judge Paul S. Diamond
United States District Judge